



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,648	01/03/2001	Raymond T. Hebert	M-10970 US	6710

22888            7590            08/20/2003  
BEVER HOFFMAN & HARMS, LLP  
TRI-VALLEY OFFICE  
1432 CONCANNON BLVD., BLDG. G  
LIVERMORE, CA 94550

[REDACTED] EXAMINER

NGUYEN, JENNIFER T

[REDACTED] ART UNIT      [REDACTED] PAPER NUMBER

2674

DATE MAILED: 08/20/2003

12

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/756,648	HEBERT ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jennifer T Nguyen	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 January 2001.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,6,10-17,20-24,28-35,37,41-59,80 and 85-108 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 55-57 and 59 is/are allowed.
- 6) Claim(s) 1,6,10,13,14,24,28-35,37,41,44,45,52-54,80,91-95,97-102 and 104-108 is/are rejected.
- 7) Claim(s) 11,12,15-17,20-23,42,43,46-51,85-90,96 and 103 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on 19 May 2003 is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
 a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

## **DETAILED ACTION**

1. This Office action is responsive to Amendment filed on 05/19/2003.
2. Claim 10 is objected to because of the following informalities: claim 10 is depended on a cancelled claim 9. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 28 recites the limitation "said burst" in claim 28, line 4 and 6. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 6, 10, 13, 14, 24, 33-35, 37, 41, 44, 45, 52-54, 80, 91-93, 97-102, and 104-107 are rejected under 35 U.S.C. 102(e) as being anticipated by Beller et al. (U.S. Patent No. 6,046,712).

Regarding claims 1, 35, 80, 97, 98, 100, 104, and 105, referring to Figs. 1 and 3, Beller teaches an apparatus including a video interface for a remote display (14), comprising: a video processing circuit (110) configured to output a baseband video signal, said video signal having a

data structure comprising a repetitive sequence of frame times, each said frame time containing substantially equal consecutive field times for each of three color fields; a transceiver module (202, 203) comprising a cluster of infrared light emitting diodes coupled to said video processing circuit (110) for transmitting said baseband video signal; a remote receiver (100) configured to receive said baseband video signal; and a remote electronic circuit (10) interconnected to said receiver (100) and to a video display device (14), said remote electronic circuit (10) configured to apply said baseband video signal to control and drive said video display device (14) (col. 3, lines 42-67, col. 4, lines 1-67, col. 5, lines 1-39, and col. 6, lines 45-67).

Regarding claim 6, 10, 37, 41, and 102, Beller further teaches each diode in said cluster emits an identical optical signal (col. 3, lines 42-67, col. 4, lines 1-67, col. 5, lines 1-39, and col. 6, lines 45-67).

Regarding claims 13, 14, 44, 45, and 101, Beller also teaches that the cluster of light emitting diodes is interconnected with said video processing circuit through electrical cables and a coaxial cable (col. 5, lines 8-26).

Regarding claim 24, 52, 91, 106, and 107, Beller further teaches a headset (10) to be worn by a user, said headset (10) incorporating said receiver (100) and said video display device (14) (col. 3, lines 42-67).

Regarding claims 33, 53, 92, and 99, Beller further teaches said modulated video signal incorporates an embedded audio signal (from col. 4, line 66 to col. 5, line 7, and col. 6, lines 45-67).

Regarding claims 34, 54, and 93, Beller further teaches a return audio link-configured to propagate a return audio modulated signal from the proximity of said remote receiver to the

proximity of said video processing circuit (from col. 4, line 66 to col. 5, line 7, and col. 6, lines 45-67).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 28-32, 94, 95, and 108 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beller et al. (U.S. Patent No. 6,046,712) in view of Kosugi et al. (U.S. Patent No. 6,483,483).

Regarding claim 28, Beller differs from claim 28 in that he does not specifically teach remote electronic circuit is configured to illuminate the video display device sequentially with light from colored light emitting diodes in synchronism with the bursts of pixel luminance data, such that illumination occurs during a portion of each the field time not containing the burst. However, referring to Fig. 3, Kosugi teaches remote electronic circuit is configured to illuminate the video display device sequentially with light from colored light emitting diodes in synchronism with the bursts of pixel luminance data, such that illumination occurs during a portion of each the field time not containing the burst (col. 4, lines 4-67). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to incorporate the remote electronic circuit is configured to illuminate the video display device sequentially with light from colored light emitting diodes in synchronism with the bursts of pixel luminance data, such that illumination occurs during a portion of each the field time not

containing the burst as taught by Kosugi in the system of Beller in order to provide the image is displayed in a high resolution.

Regarding claims 29, 30, 32, 94, 95, and 108, the combination of Beller and Kosugi teaches operating two separate video display devices alternately, such that data bursts of a first video signal for a first display device alternate with corresponding data bursts of a second video signal for a second display device, and wherein said first and second video signals are derived from a single time duplexes video data stream (col. 4, lines 4-67 of Kosugi).

Regarding claim 31, Beller further teaches a bandwidth of the order of or greater than 100 MHz (col. 6, lines 45-67).

9. Claims 11, 12, 15-17, 20-23, 42, 43, 46-51, 85-90, 96, and 103 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims are 55-57, and 59 are allowed.

11. Applicant's arguments with respect to claims 1, 6, 10, 13, 14, 24, 28-35, 37, 41, 44, 45, 52-54, 80, 91-95, 97-102, and 104-108 have been considered but are moot in view of the new ground(s) of rejection.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kosugi (U.S. Patent No. 6,005,633) teaches signal transmitting receiving system.

Ziegra et al. (U.S. Patent No. 5,619,183) teaches video audio data remote system.

Tabata (U.S. Patent No. 5,579,026) teaches image display apparatus of head mooted type.

Ozaki et al. (U. S. Patent No. 6,342,915) teaches image telecommunication system.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225**. The examiner can normally be reached on Mon-Fri from 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached at **703-305-4709**.

**Any response to this action should be mailed to:**

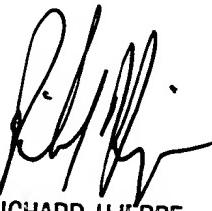
Commissioner of Patents and Trademarks  
Washington, DC. 20231

**Or faxed to: 703-872-9306 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Jennifer T. Nguyen  
08/18/2003  
Art Unit 2674



RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600